

Exhibit 4

From: Stephen Swedlow
Sent: Saturday, August 1, 2020 4:05 PM
To: Stephen Swedlow; Benjamin Berkman
Subject: RE: Risk Corridors Update

We heard from DOJ yesterday and the government indicated they need either an Employer Identification Number if there is one or any other Taxpayer Identification Number for each entity that will receive payment from the Health Republic and Common Ground judgments. While we have several arguments as to why this should be unnecessary, we believe litigating this with the government will cause unnecessary delay for payment. As a consequence, PLEASE EMAIL BENJAMIN BERKMAN (cc'ed on this email) the entity name, HIOS ID, and EIN or TIN as soon as practicable. If you have any questions please feel free to email me or call me on my cell any time (773) 610-2512.

Below is a link where you can download the orders and fee petition documents I sent Thursday night, in case you had any difficulties opening my email. If you have a response or objection to the fee petition, please email it to me at stephenswedlow@quinnemanuel.com and Benjamin Berkman at benjaminberkman@quinnemanuel.com, in a PDF or Word document. Per the Court's orders, the deadline to submit a response to us is Thursday, August 20, 2020. Let us know if you have any questions.

Secure Delivery

To download, please click on the following link.

[Click here to download the file\(s\) listed below](#)

2020.7.23 Common Ground Judgment Order.pdf	73.86 KB
2020.7.23 HRIC Judgment Order.pdf	228.34 KB
Common Ground Fee Petition.zip	3.10 MB
HRIC Fee Petition.zip	3.10 MB

If the link above does not open, please copy and paste the following URL into your browser:
<https://sendfile.quinnemanuel.com/pkg?token=2832dbcd-daad-4ab3-8146-83b68a20e885>

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From: Stephen Swedlow
Sent: Thursday, July 30, 2020 9:16 PM
To: Stephen Swedlow <stephenswedlow@quinnemanuel.com>
Subject: FW: Risk Corridors Update

Attached please find the previously circulated Orders and two zip files containing the attorneys' fees motions filed pursuant to those Orders. We will be communicating with DOJ tomorrow regarding the timing of the Treasury payment and I will update this group again as soon as I have more certainty on the timing of payment from Treasury. Thanks

again to all of you for your patience, trust and support. We are very close to the finish for all of those in the non-dispute subclass and for those in the dispute subclasses we will be in touch within the next couple days to discuss next steps.

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From: Stephen Swedlow

Sent: Thursday, July 23, 2020 4:59 PM

To: Stephen Swedlow <stephenswedlow@quinnemanuel.com>

Subject: RE: Risk Corridors Update

I write to provide what I hope is a very good update on the risk corridors litigation. The Court today entered judgment in favor of the “non-dispute” subclasses in both the Health Republic and Common Ground lawsuits. Both Orders are attached to this email. For those of you with an ongoing dispute, we have been in constant contact and I will reach out to each of you individually regarding next steps. I will also email the larger group again next week with another update regarding timing of payment but at this point there should not be any impediment to payment this calendar year. Thanks from the bottom of my heart to each and every one of you for support, guidance, understanding, confidence and loyalty over the past many years. I am both happy to have brought all of these claims to resolution and some part of me will miss this fight. Luckily I still have the offset component to continue the fight. Congratulations to all of you and feel free to email or call with any questions. As I indicated, I should have more information on the timing of the treasury payment next week after the clerk provides the instructions for submission to the Department of Treasury, contact with Treasury itself, and coordination with DOJ. There will also be submissions on “attorney’s fees and nontaxable costs payable from the Non-Dispute Subclass’s net judgment proceeds pursuant to RCFC 23(h)” that I will distribute to this group on the schedule enumerated in the attached Orders.

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From: Stephen Swedlow

Sent: Wednesday, June 24, 2020 2:08 PM

To: Stephen Swedlow <stephenswedlow@quinnemanuel.com>

Subject: Risk Corridors Update

I write to provide an update regarding the Risk Corridors cases. We had a lengthy meeting with the government yesterday that was productive. The government is prepared to stipulate to judgment for almost all of the amounts previously identified for class members by July 10 and once the Court enters that judgment, the judgment will be to Treasury for payment. Treasury usually pays judgments within 30-60 days. While the DOJ attorneys cannot and will not guarantee Treasury will pay within that time period, I am more optimistic now that you will receive money from this judgement this year. There are still some open issues we hope to have clarity on by the end of this week or first thing next week.

First and foremost, on the issue of offsets that the government raised in its most recent court filing – the government indicated it would only be pursuing offsets against entities in liquidation and only for ACA-related defaulted debts. The DOJ attorney indicated that he believed solvency loans were not subject to offset but would confirm that in his communication at the end of the week. We are supposed to receive a list of entities and the amounts of asserted offsets by the end of the week. We are not requiring or even suggesting parties accept this offset or the amount, but for purposes of defining who may be subject to the offset, the government has provided some clarity.

Second, government indicated that there is no desire on their part to delay payment to any class member and they anticipate class members to get paid expeditiously.

Third, the government indicated for non-liquidation entities, they will be prepared to stipulate to the previously identified amount for judgment. I pressed the government on whether and to what extent in this context HHS would consider revisions. The DOJ attorney in charge indicated that to the extent a party wants to stipulate to a lower number, he believes HHS would be amenable without delay. To the extent a claimant has a basis to seek a higher stipulated judgment, he would communicate that information to HHS but he speculated that it may delay the time for that entity to get a stipulated judgment. However, he did not know that conclusively. ***If you have previously indicated a discrepancy in the amount identified by the government, I will contact you separately to coordinate whether you are interested in contesting the amount at this time. If you agreed to the amount previously identified, you do not need to do anything or re-confirm. We have all the information previously sent to us and appreciate all of the timely efforts each of you made to give us a response before the government slowed the whole process down. Thanks again for your patience in that regard.

Finally, I want to express once again our gratitude and sincere appreciation for the confidence each of you have shown in me and our firm over the years. This is an enormous accomplishment by everyone one who assisted and most importantly by all of you for having the fortitude to pursue a claim against the government. We recognize that these decisions to opt into a case against the government were not taken lightly and I will forever feel honored to represent you in these matters. As always, feel free to email or call me. My cell is 773-610-2512.

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